

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37133 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- PIRO District- Bhojpur

Sumit Kumar @ Sunil Kumar, Male, aged about 20 years, Son Of Binod Singh @ Binod Kumar @ Binod Yadav, Resident of Village - Saidanpur, P.S. - Tarari, District - Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Malti Kumari, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-09-2024 Heard Ms. Malti Kumari, learned counsel appearing on behalf of the petitioner and Mr. Ram Naresh Ray, learned APP for the State.

2. Petitioner seeks regular bail in connection with G.R. No. 1466 of 2023 arising out of Piro P.S. Case No. 193 of 2023 registered for offences punishable under Sections 392 of the Indian Penal Code.

3. The allegation is of committing robbery of motorcycle and mobile phone of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case due to local village politics. Allegation levelled against the petitioner is false and fabricated.



No incriminating article has been recovered from the possession of the petitioner. Other co-accused, namely, Karan Kumar @ Govind Kumar, has already been released on pre-arrest bail by this Court vide order dated 23.08.2023 passed in Cr. Miscellaneous No. 55010 of 2023. Petitioner is in custody since 19.05.2023. On these grounds, petitioner seeks to be released on bail.

5. Learned A.P.P., for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, as well as, the period of custody undergone by the petitioner, the learned District Court is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Ara (Bhojpur) in connection with G.R. No. 1466 of 2023 arising out of Piro P.S. Case No. 193 of 2023 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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